

TIMOTHY W. MEYER and  
MELISSA C. MEYER[illegible]

VS.

Defendants.

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is a copy of all process and pleadings filed in the action. No further proceedings have occurred in the Circuit Court of Hamilton County, Tennessee.

2. The City was served with a copy of the complaint and summons by hand delivery on August 19, 2022. Copies of the complaint and summonses for Zachary Lloyd and Luke Simon were also served by hand delivery on the Chattanooga Police Department on August 19, 2022.

3. Upon information and belief, the Defendant Walmart, Inc., was served with process on its registered agent, CT Corporation Systems on August 23, 2022.

4. This Notice of Removal is filed within the time allowed under 28 U.S.C. § 1446(b) as thirty (30) days have not yet expired since any of the Defendants was first provided with a copy of the complaint and summons.

5. This action is a civil action in which the Plaintiff alleges that certain of the Defendants violated his civil rights under color of law and seeks to recover damages and other relief as provided by federal law pursuant to 42 U.S.C. § 1983 as well as certain state law claims.

6. Pursuant to 28 U.S.C. § 1441(a), “Except as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

7. Pursuant to 28 U.S.C. § 1331, “The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

8. The case allegedly arises under the laws of the United States. Therefore, this Court has original jurisdiction, and removal of the case is proper.

9. Venue is proper in this Court because this United States District Court embraces the County of Hamilton, State of Tennessee.

10. No defendant in this action has objected to this removal.

11. As required by 28 U.S.C. § 1446(d), promptly after the filing of this notice of removal, the Defendants will give written notice thereof to all adverse parties and will file a copy of the notice with the Clerk of the Circuit Court of Hamilton County, Tennessee, which shall effect the removal, and the State court shall proceed no further unless and until the case is remanded.

WHEREFORE, the Defendants pray that the above-entitled action be removed from the Circuit Court of the State of Tennessee, County of Hamilton, to this Court.

Respectfully Submitted,

OFFICE OF THE CITY ATTORNEY  
CITY OF CHATTANOOGA, TENNESSEE

By: s/ Phillip A. Noblett  
PHILLIP A. NOBLETT (BPR #10074)  
*Deputy City Attorney*  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of this pleading has been served on counsel for Plaintiff by depositing said pleading in the United States mail with sufficient first class postage thereon, addressed to the following:

Stephen S. Duggins, Esq.  
Law Office of Stephen S. Duggins  
8052 Standifer Gap Road, Suite B  
Chattanooga, Tennessee 37421

Steve Elliott, Esq.  
Howell & Fisher, PLLC  
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sellott@howell-fisher.com

This 16th day of September, 2022.

s/ Phillip A. Noblett \_\_\_\_\_